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SUPERFUND PROGRAM  
MANAGEMENT BRANCH

1179 Kent Street  
P. O. Box 1385  
Elkhart, IN 46515  
March 14, 1989

Ms. Susan Swales (5HS-11)  
Waste Management Division  
U.S. EPA - Region V  
230 South Dearborn Street  
Chicago, IL 60604

Re: Himco Landfill, Elkhart, Indiana

Ladies and Gentlemen:

The undersigned hereby responds to your letter mailed in November, 1988, with regard to information requested about the Himco landfill site in Elkhart, Indiana. The timing and scope of this response is pursuant to communications between Ms. Susan Swales and our counsel, Mr. James R. Brotherson. Based upon those communications, we are advised that this response will be deemed as timely if transmitted by March 15, 1989, and that the relevant time period for the information requested is 1960 to 1976. It is our further understanding that our response is to relate only to hazardous wastes, and not generalized waste and trash.

Based upon your letter and the foregoing, the following comprises our response, employing the same numbering system as contained on page 2 of your letter:

1. Rollie Williams Paint Spot, Inc. ("RWPS") principally engaged in the sale of paint, painting supplies and sundries used by Elkhart, Indiana, area individuals and businesses. The only manufacturing processes employed by RWPS are the tinting, colorization, mixing and repackaging of paint. No waste paint is generated. Any paint which is unuseable, or returned by RWPS, was handled in the following manner: it was either resold at the store, at a substantial discount, sent to an auction house in Michigan to be sold at auctions, or mixed with all other rejected or returned paint, and sold as an inexpensive, construction-grade base or primer paint. No paint is wasted in as much as cans or other containers of paint are emptied prior to the disposal of the container.

Wastes generated by RWPS include only paper supplies, cartons, and generalized trash. During the relevant period of time, RWPS neither took back any of the

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nonpaint chemical substances referred to above, nor arranged in any way for their disposal. Disposal practices for the nonhazardous waste generated by RWPS included use of a container supplied by Charles Himes and Sons, Himco Waste Away, or Himco, Inc. RWPS now maintains SIC number 5198. The number was obtained in 1988.

2. No arrangements were made with any companies or individuals for the disposal of hazardous wastes during the relevant time period. As indicated, "hazardous wastes" were not generated. The company, which is privately owned, went through several changes of management and ownership during the relevant time period. The individuals responsible for making arrangements for the disposal of all wastes, and the time frame within which it is believed those individuals are responsible for such arrangements, are as follows:

A. 1960 to 1965: Rollie Williams. Mr. Williams is deceased.

B. 1965 to 1971: James Curtis. Mr. Curtis is deceased.

C. 1971 to 1974: Jean Curtis Cushing and David Curtis.

D. 1974 through 1976: E. H. Cushing (excepting Mr. Dave Curtis was still involved during 1975).

3. The only company or entity with whom RWPS made arrangements for the disposal of wastes was Charles Himes and Sons, Himco, Inc. or Himco Waste Away, but such wastes were not hazardous substances, hazardous wastes, or materials which may contain pollutants. Therefore, as the question is framed, the answer is "no."

4. For the period from 1960 to 1976 the document and records-retention policies of RWPS did not provide for the keeping of records and information sought by this question. Therefore, no response can be made.

5. Based upon the recollection of current and former employees, who were interviewed in connection with the formation of this response, it is believed that all of the materials transported by Charles Himes and Sons, Himco Waste Away, or Himco, Inc. were solid. The chemical composition of such materials consisted merely of paper, cardboard boxes, metals cans (emptied of their contents), and generalized trash.

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6. As indicated, the records-retention policy of RWPS did not, during the relevant period, require the assemblage and retention of the information requested by this question. Based upon interviews, it is believed that approximately two to three cubic yards of solid, nonhazardous wastes were disposed of by Charles Himes and Sons, Himco Waste Away, or Himco, Inc. during each week of the relevant period.

7. No records exist with regard to this request, because of the records-retention policy during the relevant time period.

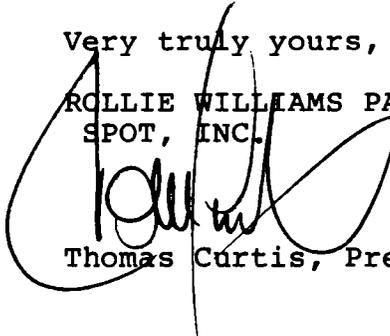
8. Insurance records for the relevant time period do not exist, because of the records-retention policy of RWPS. The recollection of some persons interviewed is that United States Fidelity and Guaranty Corporation underwrote the liability insurance for RWPS from 1970 to, approximately, 1978. The description of the liability insurance coverage carried at that time is not presently available.

We are endeavoring to conduct further interviews and obtain further information relating to the information sought by you. To the extent that further relevant information is discovered, then such information will be submitted if it is found that the information disclosed herein is false.

The undersigned certifies that the information contained herein is true and accurate to the best of the undersigned's knowledge and belief. The undersigned further certifies that a diligent search for all documents responsive to your request has been completed.

Very truly yours,

ROLLIE WILLIAMS PAINT  
SPOT, INC.

  
Thomas Curtis, President

TC:cm

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STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF ELKHART    )

Before me personally appeared Thomas Curtis, known to me to be the President of Rollie Williams Paint Spot, Inc., and acknowledged the execution of the foregoing letter of response to the Environmental Protection Agency.

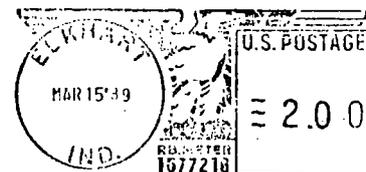
Witness my hand and Notarial Seal this 14<sup>th</sup> day of March, 1989.

My Commission Expires:

May 19, 1989

*Cheryl J. Mast*  
Cheryl J. Mast, Notary Public  
Residing in Elkhart County, IN

Rollie Williams Paint Spot, Inc.  
1179 Kent Street  
P. O. Box 1385  
Elkhart, IN 46515



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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Chicago, IL 60604

